

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

ROGER SMART,

Plaintiff,

v.

EQUIFAX INFORMATION SERVICES, LLC,

Defendant.

DEFENDANT EQUIFAX INFORMATION SERVICES, LLC’S NOTICE OF REMOVAL

Equifax Information Services, LLC (“Equifax”) files this Notice of Removal pursuant to 28 U.S.C. § 1446(a) and in support thereof would respectfully show the Court as follows:

A. PROCEDURAL BACKGROUND

1. On or about January 7, 2025, Plaintiff Roger Smart (“Plaintiff”) filed the Complaint in the Supreme Court of the State of New York, County of Queens, Index No. 000405 (“State Court Action”) alleging violations of the Fair Credit Reporting Act (“FCRA”), 15 U.S.C. § 1681, *et seq.*, against “Equifax.”

2. Equifax was served with Plaintiff’s Complaint on January 13, 2025. This Notice of Removal is being filed with the thirty (30) day time period required by 28 U.S.C. § 1446(b).

B. GROUNDS FOR REMOVAL

3. The present suit is an action over which the United States District Court, Eastern District of New York has original jurisdiction pursuant to 28 U.S.C. § 1331, as it is a civil action founded on a claim or right arising under the laws of the United States, and may be removed to this Court by Defendant pursuant to the provisions of 28 U.S.C. § 1446(b). Removal is proper because Plaintiff’s claims present a federal question. In the Complaint, Plaintiff seeks damages for Defendant’s alleged violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.*

C. COMPLIANCE WITH PROCEDURAL REQUIREMENTS

4. Pursuant to 28 U.S.C. § 1441(a), venue of the removal action is proper in the United States District Court, Eastern District of New York because it is in the district and division embracing the place where the state court action is pending.

5. In accordance with 28 U.S.C. § 1446(a), a copy of all executed process, pleadings asserting causes of action, and orders in the State Court Action served upon Defendant Equifax are attached hereto as **Exhibit A**.

6. Promptly after the filing of this Notice of Removal, Equifax shall give written notice of the removal to the Plaintiff and will file a copy of this Notice of Removal with the Queens County Supreme Court, New York as required by 28 U.S.C. § 1446(d).

WHEREFORE, Equifax request that the above-described action be removed to this Court.

Respectfully submitted: February 11, 2025

Respectfully submitted,

/s/ Forrest M. "Teo" Seger III

Forrest M. "Teo" Seger' III

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LLC**

CERTIFICATE OF SERVICE

This is to certify that I have this February 11, 2025, cause this to be served on counsel for all parties by electronically filing a true and correct copy of the foregoing with the Clerk of the Court using the ECF system.

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Counsel for Plaintiff

/s/Forrest M. "Teo" Seger III
Forrest M. "Teo" Seger III